

Message Text

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ACTION IO-11

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INFO AMEMBASSY LONDON PRIORITY

AMEMBASSY LUSAKA PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY PRETORIA PRIORITY

AMCONSUL CAPETOWN PRIORITY

UNCLAS USUN 344

CAPETOWN FOR EMBASSY - PRIORITY

E.O. 11652: N/A

TAGS: PFOR, UNSC, WA

SUBJ: SECURITY COUNCIL MEETING ON NAMIBIA

1. FOLLOWING IS TEXT OF DRAFT RES S-11950 ON NAMIBIA,
INTRODUCED BY GUYANA AFTERNOON JAN 29.

THE SECURITY COUNCIL,

HAVING HEARD THE STATEMENT BY THE PRESIDENT OF THE UNITED
NATIONS COUNCIL FOR NAMIBIA,

HAVING CONSIDERED THE STATEMENT BY MR. MOSES M. GAROEB,
ADMINISTRATIVE SECRETARY OF THE SOUTH WEST AFRICA PEOPLE'S
ORGANIZATION (SWAPO),

RECALLING GENERAL ASSEMBLY RESOLUTION 2145 (XXI) OF 27

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OCT 1966, WHICH TERMINATED SOUTH AFRICA'S MANDATE OVER THE

TERRITORY OF NAMIBIA, AND RESOLUTION 2248 ((S-V) OF 19 MAY 1967, WHICH ESTABLISHED A UNITED NATIONS COUNCIL FOR NAMIBIA, AS WELL AS ALL OTHER SUBSEQUENT RESOLUTIONS ON NAMIBIA, IN PARTICULAR, RESOLUTION 3295 (XXIX) OF 13 DEC 1974 AND RES 3399 (XXX) OF 26 NOV 1975,

RECALLING SECURITY COUNCIL RES 245 (1968) OF 25 JAN AND 246 (1968) OF 14 MARCH 1968, 264 (1969) OF 20 MARCH AND 269 (1969) OF 12 AUG 1969, 276 (1970) OF 30 JAN, 282 (1970) OF 23 JULY, 283 (1970) AND 284 (1970) OF 29 JULY 1970, 300 (1971) OF 12 OCT AND 301 (1971) OF 20 OCT 1971, 310 (1972) OF 4 FEB 1972 AND 366 (1974) OF 17 DEC 1974,

RECALLING THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE OF 21 JUN 1971 THAT SOUTH AFRICA IS UNDER OBLIGATION TO WITHDRAW ITS PRESENCE FROM THE TERRITORY,

REAFFIRMING THE LEGAL RESPONSIBILITY OF THE UNITED NATIONS OVER NAMIBIA,

CONCERNED AT SOUTH AFRICA'S CONTINUED ILLEGAL OCCUPATION OF NAMIBIA AND ITS PERSISTENT REFUSAL TO COMPLY WITH RESOLUTIONS AND DECISIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL, AS WELL AS WITH THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE OF 21 JUNE 1971,

GRAVELY CONCERNED AT SOUTH AFRICA'S BRUTAL REPRESSION OF THE NAMIBIAN PEOPLE AND ITS PERSISTENT VIOLATION OF THEIR HUMAN RIGHTS, AS WELL AS ITS EFFORTS TO DESTROY THE NATIONAL UNITY AND TERRITORIAL INTEGRITY OF NAMIBIA, AND ITS AGGRESSIVE MILITARY BUILD-UP IN THE AREA,

STRONGLY DEPLORING THE MILITARIZATION OF NAMIBIA BY THE ILLEGAL OCCUPATION REGIME OF SOUTH AFRICA,

1. CONDEMNS THE CONTINUED ILLEGAL OCCUPATION OF THE TERRITORY OF NAMIBIA BY SOUTH AFRICA;

2. CONDEMNS THE ILLEGAL AND ARBITRARY APPLICATION BY SOUTH AFRICA OF RACIALLY DISCRIMINATORY AND REPRESSIVE LAWS AND UNCLASSIFIED

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PRACTICES IN NAMIBIA;

3. CONDEMNS THE SOUTH AFRICAN MILITARY BUILD-UP IN NAMIBIA AND ANY UTILIZATION OF THE TERRITORY AS A BASE FOR ATTACKS ON NEIGHBOURING COUNTRIES;

4. DEMANDS THAT SOUTH AFRICA PUT AN END FORTHWITH TO ITS POLICY OF BANTUSTANS AND THE SO-CALLED HOMELANDS AIMED AT

VIOLATING THE NATIONAL UNITY AND THE TERRITORIAL INTEGRITY
OF NAMIBIA;

5. FURTHER CONDEMNS SOUTH AFRICA'S FAILURE TO COMPLY WITH
THE TERMS OF SECURITY COUNCIL RES 366 (1974) OF 17 DEC 1974;

6. FURTHER CONDEMNS ALL ATTEMPTS BY SOUTH AFRICA CALCULATED
TO EVADE THE CLEAR DEMAND OF THE UNITED NATIONS FOR THE HOLDING
OF FREE ELECTIONS UNDER UNITED NATIONS SUPERVISION AND CONTROL IN
NAMIBIA;

7. DECLARES THAT IN ORDER THAT THE PEOPLE OF NAMIBIA BE
ENABLED TO FREELY DETERMINE THEIR OWN FUTURE, IT IS IMPERATIVE
THAT FREE ELECTIONS UNDER THE SUPERVISION AND CONTROL OF
THE UNITED NATIONS BE HELD FOR THE WHOLE OF NAMIBIA AS
ONE POLITICAL ENTITY;

8. FURTHER DECLARES THAT IN DETERMINING THE DATE, TIME-TABLE
AND MODALITIES FOR THE ELECTIONS IN ACCORDANCE WITH PARAGRAPH
7 ABOVE, THERE SHALL BE ADQUATE TIME TO BE DECIDED UPON
BY THE SECURITY COUNCIL FOR THE PURPOSES OF ENABLING THE
UNITED NATIONS TO ESTABLISH THE NECESSARY MACHINERY WITHIN
NAMIBIA TO SUPERVISE AND CONTROL SUCH ELECTIONS, AS WELL AS
TO ENABLE THE PEOPLE OF NAMIBIA TO ORGANIZE POLITICALLY FOR
THE PURPOSE OF SUCH ELECTIONS;

9. DEMANDS THAT SOUTH AFRICA URGENTLY MAKE A SOLEMN DECLARATION
ACCEPTING THE FOREGOING PROVISIONS FOR THE HOLDING OF FREE
ELECTIONS IN NAMIBIA UNDER UNITED NATIONS
SUPERVISION AND CONTROL, UNDERTAKING TO COMPLY WITH THE
RESOLUTIONS AND DECISIONS OF THE UNITED NATIONS AND WITH
THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE
OF 21 JUNE 1971 IN REGARD TO NAMIBIA, AND RECOGNIZING THE
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TERRITORIAL INTEGRITY AND UNITY OF NAMIBIA AS A NATION;

10. REITERATES ITS DEMAND THAT SOUTH AFRICA TAKEN THE NECESSARY
STEPS TO EFFECT THE WITHDRAWAL, IN ACCORDANCE WITH RESOLUTIONS
264 (1969), 269 (1969) AND 366 (1974), OF ITS ILLEGAL
ADMINISTRATION MAINTAINED IN NAMIBIA AND TO TRANSFER POWER
TO THE PEOPLE OF NAMIBIA WITH THE ASSISTANCE OF
THE UNITED NATIONS;

11. DEMANDS AGAIN THAT SOUTH AFRICA, PENDING THE TRANSFER
OF POWERS PROVIDED FOR IN THE PRECEDING PARAGRAPH:

(A) COMPLY FULLY IN SPIRIT AND IN PRACTICE WITH THE PROVISIONS
OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS;

(B) RELEASE ALL NAMIBIAN POLITICAL PRISONERS, INCLUDING ALL THOSE IMPRISONED OR DETAINED IN CONNEXION WITH OFFENCES UNDER SO-CALLED INTERNAL SECURITY LAWS, WHETHER SUCH NAMIBIANS HAVE BEEN CHARGED OR TRIED OR ARE HELD WITHOUT CHARGE AND WHETHER HELD IN NAMIBIA OR SOUTH AFRICA;

(C) ABOLISH THE APPLICATION IN NAMIBIA OF ALL RACIALLY DISCRIMINATORY AND POLITICALLY REPRESSIVE LAWS AND PRACTICES, PARTICULARLY BANTUSTANS AND HOMELANDS;

(D) ACCORD UNCONDITIONALLY TO ALL NAMIBIANS CURRENTLY IN EXILE FOR POLITICAL REASONS FULL FACILITIES FOR RETURN TO THEIR COUNTRY WITHOUT RISK OF ARREST, DETENTION, INTIMIDATION OR IMPRISONMENT;

12. DECIDES TO REMAIN SEIZED OF THE MATTER AND TO MEET ON OR BEFORE 31 AUGUST 1976 FOR THE PURPOSE OF REVIEWING SOUTH AFRICA'S COMPLIANCE WITH THE TERMS OF THIS RESOLUTION AND, IN THE EVENT OF NON-COMPLIANCE BY SOUTH AFRICA, FOR THE PURPOSE OF CONSIDERING THE APPROPRIATE MEASURES TO BE TAKEN UNDER THE CHARTER.

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